

STATE OF SOUTH CAROLINA

IN THE COURT OF COMMON PLEAS

COUNTY OF YORK

John Doe #4, individually, and now over the age of eighteen (18), and James Roe #3 and Jane Roe #3, as the parents and natural guardians, individually, and as the parents and natural guardians of John Doe #4 while he was under the age of eighteen (18),

Plaintiffs,

v.

Morningstar Fellowship Church, Richard Joyner, David Yarnes, Douglas Lee, Erickson Lee, and Chase Portello,

Defendants.

Civil Action No. 2025-CP-46-00493

**ANSWER OF DEFENDANTS
MORNINGSTAR FELLOWSHIP
CHURCH, RICHARD JOYNER,
DAVID YARNES, AND
DOUGLAS LEE**

(Jury Trial Requested)

Defendants MorningStar Fellowship Church, Richard Joyner, David Yarnes, and Douglas Lee (collectively, “these Defendants”), reserving all rights under motions separately filed or asserted herein, answer the Complaint as follows.^{1,2,3}

FOR A FIRST DEFENSE

(Responses to the Allegations of the Complaint)

1. These Defendants deny each and every allegation of the Complaint except those hereinafter specifically admitted, qualified, or explained.

¹ Any and all inconsistent material is pled in the alternative pursuant to Rule 8(e)(2), SCRCF, and such other law as is applicable. Such inconsistent material may or may not be specifically designated as such.

² To the extent material appearing herein is inconsistent with existing law, these Defendants respectfully request to argue in good faith for a change in the law. Nothing pled in any portion of this Answer is to be deemed a waiver of any defense available to these Defendants or consent to this court exercising jurisdiction over the matter or over these Defendants.

³ To the extent material appearing in one defense is applicable to another defense and not inconsistent with the other defense, the material is to be deemed incorporated into the other defense.

AS TO SUMMARY OF ACTION

2. Paragraphs 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12 contain generalized and conclusory statements that are not directed at these Defendants. However, to the extent these paragraphs attempt to allege or do allege any cause of action, claim, act, error, or omission as to these Defendants, those allegations are denied. These Defendants further deny they have engaged in any wrongful conduct or are liable for any conduct of any other party.

3. Paragraphs 13 and 14 are denied.

4. As to paragraph 15, it is admitted only that MorningStar Fellowship Church ("MorningStar") is located in Fort Mill, South Carolina and has a youth program that engages in certain events. Any remaining allegations of paragraph 15 are denied as stated.

5. Paragraph 16 is admitted.

6. As to paragraph 17, it is admitted only that Erickson Lee was a volunteer leader within the youth program. Any remaining allegations of paragraph 17 are denied as stated.

7. These Defendants lack sufficient information or knowledge upon which to form a belief as to the truth or falsity of the allegations of paragraph 18 and, therefore, deny the allegations and demand strict proof thereof.

8. As to paragraph 19, it is denied that Erickson Lee's alleged conduct was foreseeable. Any remaining allegations of paragraph 19 are denied as stated.

9. As to paragraph 20, it is denied that these Defendants were all aware of past instances of sexual abuse at MorningStar. Further, it is denied that MorningStar did not have reasonable policies in place to protect children from the types of allegations alleged by the Plaintiffs.

10. These Defendants lack sufficient information or knowledge upon which to form a belief as to the truth or falsity of the allegations of paragraph 21 and, therefore, deny the allegations and demand strict proof thereof.

11. Paragraph 22 is denied.

AS TO PARTIES

12. These Defendants lack sufficient information or knowledge upon which to form a belief as to the truth or falsity of the allegations of paragraphs 23, 24, and 25 and, therefore, deny the allegations and demand strict proof thereof.

13. As to paragraphs 26 and 27, it is admitted only that the Plaintiffs filed this action anonymously under the pseudonyms John Doe #4 and Jane Roe #4. These Defendants lack sufficient information or knowledge upon which to form a belief as to the truth or falsity of the remaining allegations of paragraphs 26 and 27 and, therefore, deny the allegations and demand strict proof thereof.

14. These Defendants lack sufficient information or knowledge upon which to form a belief as to the truth or falsity of the allegations of paragraphs 28 and 29 and, therefore, deny the allegations and demand strict proof thereof.

15. As to paragraphs 30, 31, 32, and 33, these Defendants state that they do not currently object to the Plaintiffs proceeding anonymously or to the confidential disclosure of their identities to the Defendants.

16. Paragraph 34 is admitted.

17. As to paragraph 35, it is admitted only that Richard Joyner is the founder of MorningStar, has served as MorningStar's senior pastor, and is a citizen and resident of York County, South Carolina. Any remaining allegations of paragraph 35 are denied as stated.

18. As to paragraph 36, it is admitted only that David Yarnes has served as a vice president of MorningStar and is a citizen and resident of South Carolina. Any remaining allegations of paragraph 36 are denied as stated.

19. As to paragraph 37, it is admitted only that Douglas Lee has served at MorningStar as the Director of Safety, is the father of Erickson Lee, and is a citizen and resident of South Carolina. Any remaining allegations of paragraph 37 are denied as stated.

20. As to paragraph 38, it is admitted only that Erickson Lee served as a volunteer leader within the youth program at MorningStar and is a resident of York County, South Carolina. These Defendants lack sufficient information or knowledge upon which to form a belief as to the truth or falsity of the remaining allegations of paragraph 38 and, therefore, deny the allegations and demand strict proof thereof.

21. Paragraph 39 is denied.

22. These Defendants lack sufficient information or knowledge upon which to form a belief as to the truth or falsity of the allegations of paragraph 40 and, therefore, deny the allegations and demand strict proof thereof.

23. The allegations of paragraphs 41 and 42 constitute conclusions of law to which these Defendants are not required to respond. To the extent the allegations are deemed to be allegations of fact or a response is required for any other reason, these Defendants admit that certain duties existed between the parties but deny having breached any duties owed.

24. Paragraph 43 is denied as stated.

25. Paragraph 44 is denied as stated. Further, to the extent alleged, these Defendants deny that MorningStar did not have policies, procedures, and guidance on how interaction with

minor children at church should be handled to prevent foreseeable exploitation and/or abuse of minor children.

26. As to paragraphs 45 and 46, these Defendants deny that MorningStar did not have policies, procedures, and guidance on how interaction with minor children at church should be handled to prevent foreseeable exploitation and/or abuse of minor children. Any remaining allegations of paragraphs 45 and 46 are denied as stated.

27. The allegations of paragraph 47 constitute conclusions of law to which these Defendants are not required to respond. To the extent the allegations are deemed to be allegations of fact or a response is required for any other reason, these Defendants admit that certain duties existed between the parties but deny having breached any duties owed.

28. Paragraph 48 is denied as stated.

29. The allegations of paragraph 49 constitute conclusions of law to which these Defendants are not required to respond. To the extent the allegations are deemed to be allegations of fact or a response is required for any other reason, these Defendants admit that certain duties existed between the parties but deny having breached any duties owed.

30. As to paragraph 50, it is admitted only that in any church, school, club, or organization, leaders should know of potential dangers to vulnerable children if reasonable precautions are not exercised. To the extent alleged in paragraph 50, these Defendants deny that MorningStar did not have policies, procedures, and guidance on how interaction with minor children at church should be handled to prevent foreseeable exploitation and/or abuse of minor children. Any remaining allegations of paragraph 50 are denied as stated.

31. Paragraph 51 is denied.

32. As to paragraph 52, it is denied that Erickson Lee and Chase Portello were employees of MorningStar. The remaining allegations of paragraph 52 constitute conclusions of law to which these Defendants are not required to respond.

33. Paragraph 53 is denied as stated.

34. The allegations of paragraph 54 constitute conclusions of law to which these Defendants are not required to respond. To the extent the allegations are deemed to be allegations of fact or a response is required for any other reason, the allegations are denied.

AS TO JURISDICTION AND VENUE

35. These Defendants lack sufficient information or knowledge upon which to form a belief as to the truth or falsity of the allegations of paragraph 55 and, therefore, deny the allegations and demand strict proof thereof.

36. Paragraph 56 is admitted.

37. As to paragraph 57, these Defendants deny the material facts alleged in the Complaint. However, these Defendants state that they do not contest venue.

38. The allegations of paragraphs 58 and 59 constitute conclusions of law to which these Defendants are not required to respond. To the extent the allegations are deemed to be allegations of fact or a response is required for any other reason, these Defendants state that they do not contest personal jurisdiction.

AS TO JOINT AND SEVERAL LIABILITY

39. Paragraph 60 is denied.

AS TO DAMAGES ALLEGATIONS AS TO DEFENDANTS

40. As to paragraph 61, MorningStar states that it is a “charitable organization” as defined by S.C. Code Ann. § 33-56-170 and therefore subject to the protections afforded by S.C. Code Ann. § 33-56-180(A) and other applicable law, which are incorporated herein by reference.

41. As to paragraph 62, these Defendants state that S.C. Code Ann. § 33-56-180 speaks for itself and crave reference thereto.

42. As to paragraph 63, these Defendants state that S.C. Code Ann. § 15-78-120 speaks for itself and crave reference thereto.

43. As to paragraph 64, these Defendants state that S.C. Code Ann. § 15-78-30(g) speaks for itself and crave reference thereto.

44. As to paragraph 65, these Defendants deny that they or their employees or agents caused the Plaintiffs harm. The remaining allegations of paragraph 65 constitute conclusions of law to which these Defendants are not required to respond. To the extent the allegations are deemed to be allegations of fact or a response is required for any other reason, the allegations are denied.

45. Paragraph 66 is denied.

46. As to paragraph 67, these Defendants admit that the Plaintiffs have made certain allegations against them but deny that the allegations have merit.

47. The allegations of paragraph 68 constitute conclusions of law to which these Defendants are not required to respond. To the extent these allegations are deemed to be allegations of fact or a response is required for any other reason, these Defendants state that S.C. Code Ann. § 33-56-180(A) speaks for itself and crave reference thereto.

48. As to paragraph 69, these Defendants admit that the Plaintiffs have made certain allegations against them but deny that the allegations have merit.

49. Paragraph 70 is denied.

AS TO SEPARATION OF CHURCH AND STATE AND ECCLESIASTICAL PRIVILEGE

50. The allegations of paragraphs 71, 72, 73, 74, 75, 76, and 77 constitute conclusions of law to which these Defendants are not required to respond. To the extent these allegations are deemed to be allegations of fact or a response is required for any other reason, these Defendants state that the cited/applicable constitutional provisions, statutes, and judicial decisions speak for themselves and crave reference thereto.

51. Paragraph 78 is admitted.

52. As to paragraph 79, these Defendants strongly condemn all sexual misconduct and would show that such conduct is sinful. Any remaining allegations of paragraph 79 are denied as stated.

53. Paragraph 80 is admitted.

54. These Defendants lack sufficient information or knowledge upon which to form a belief as to the truth or falsity of the allegations of paragraph 81 and, therefore, deny the allegations and demand strict proof thereof.

55. Paragraph 82 is a general statement that lacks any context. Accordingly, these Defendants lack sufficient information or knowledge upon which to form a belief as to the truth or falsity of the allegations of paragraph 82 and, therefore, deny the allegations and demand strict proof thereof.

56. Paragraph 83 is denied as stated.

57. The allegations of paragraph 84 constitute conclusions of law to which these Defendants are not required to respond. To the extent these allegations are deemed to be allegations of fact or a response is required for any other reason, the allegations are denied as stated.

AS TO DUTIES OF MORNINGSTAR, JOYNER, YARNES, AND DOUGLAS LEE

58. The allegations of paragraph 85 constitute conclusions of law to which these Defendants are not required to respond. To the extent the allegations are deemed to be allegations of fact or a response is required for any other reason, these Defendants admit that certain duties existed between the parties but deny having breached any duties owed.

59. Paragraph 86 is denied.

60. The allegations of paragraphs 87 and 88 constitute conclusions of law to which these Defendants are not required to respond. To the extent the allegations are deemed to be allegations of fact or a response is required for any other reason, these Defendants admit that certain duties existed between the parties but deny having breached any duties owed.

61. Paragraphs 89 and 90 are denied.

62. The allegations of paragraph 91 constitute conclusions of law to which these Defendants are not required to respond. To the extent the allegations are deemed to be allegations of fact or a response is required for any other reason, these Defendants admit that certain duties existed between the parties but deny having breached any duties owed.

63. As to paragraph 92, it is admitted only that MorningStar had a background check run on Erickson Lee. Any remaining allegations of paragraph 92 are denied.

64. Paragraph 93 is denied as stated.

65. As to paragraph 94, it is admitted only that MorningStar had certain policies and procedures. Any remaining allegations of paragraph 94 are denied.

66. The allegations of paragraphs 95, 96, 97, 98, and 99 constitute conclusions of law to which these Defendants are not required to respond. To the extent the allegations are deemed to be allegations of fact or a response is required for any other reason, these Defendants admit that certain duties existed between the parties but deny having breached any duties owed.

67. Paragraphs 100 and 101 are denied.

68. The allegations of paragraph 102 constitute conclusions of law to which these Defendants are not required to respond. To the extent the allegations are deemed to be allegations of fact or a response is required for any other reason, these Defendants admit that certain duties existed between the parties but deny having breached any duties owed.

AS TO PROVISION OF ALCOHOL AND/OR PORNOGRAPHY TO A MINOR, SEXUAL EXPLOITATION OR ABUSE OF A MINOR, FAILURE TO TRAIN/MONITOR/SUPERVISE LEADERS OF YOUTH GROUPS AND FAILURE TO CREATE POLICIES AND PROCEDURES TO PROTECT CHILDREN AT RISK OF PREDATORIAL CONDUCT INVOLVE NEUTRAL PRINCIPLES OF LAW ANALYSIS AND JURISDICTION VESTS IN CIVIL COURT

69. As to paragraph 103, it is admitted only that church organizations (including youth programs) are founded and operate upon ecclesiastical principles. Any remaining allegations of paragraph 103 are denied as stated.

70. As to paragraph 104, it is admitted only that minor children should be reasonably protected from harm. Any remaining allegations of paragraph 104 are denied as stated.

71. As to paragraph 105, these Defendants strongly condemn all sexual misconduct and exploitation of minor children and would show that such conduct is sinful. Any remaining allegations of paragraph 105 are denied as stated.

72. As to paragraph 106 it is admitted only that minor children should be reasonably protected from harm. Any remaining allegations of paragraph 106 are denied as stated.

73. Paragraphs 107 and 108 are denied.

74. As to paragraphs 109 and 110, these Defendants deny any instances of exploitation or sexual abuse or through one of MorningStar's programs. Any remaining allegations of paragraphs 109 and 110 are denied as stated.

75. Paragraphs 111 and 112 are denied as stated.

76. The allegations of paragraph 113 constitute conclusions of law to which these Defendants are not required to respond. To the extent these allegations are deemed to be allegations of fact or a response is required for any other reason, the allegations are denied as stated.

77. Paragraphs 114, 115, and 116 are denied as stated.

78. As to paragraph 117 it is admitted that potential victims of exploitation, harassment, or sexual abuse should be protected to the extent reasonably possible. Any remaining allegations of paragraph 117 are denied as stated.

79. Paragraph 118 is denied as stated.

80. Paragraph 119 is admitted.

81. These Defendants lack sufficient information or knowledge upon which to form a belief as to the truth or falsity of the allegations of paragraph 120 and, therefore, deny the allegations and demand strict proof thereof.

82. Paragraph 121 is denied.

83. Paragraph 122 is denied as stated.

84. Paragraph 123 is denied.

85. As to paragraph 124, these Defendants deny the exploitation or abuse of minor children in MorningStar's youth program. The remaining allegations of paragraph 124 constitute conclusions of law to which these Defendants are not required to respond. To the extent these allegations are deemed to be allegations of fact or a response is required for any other reason, the allegations are denied.

*AS TO NEUTRAL PRINCIPLES OF LAW STANDARDS IN THE INDUSTRY FOR
PROTECTION OF MINORS BY CHURCH ORGANIZATIONS*

86. Paragraphs 125, 126, 127, and 128 contain generalized and conclusory statements that are not directed at these Defendants. However, to the extent these paragraphs attempt to allege or do allege any cause of action, claim, act, error, or omission as to these Defendants, those allegations are denied. These Defendants further deny they have engaged in any wrongful conduct or are liable for any conduct of any other party.

87. Paragraphs 129, 130, 131, and 132 are denied as stated.

88. The allegations of paragraphs 133 and 134 constitute conclusions of law to which these Defendants are not required to respond. To the extent the allegations are deemed to be allegations of fact or a response is required for any other reason, these Defendants admit that certain duties existed between the parties but deny having breached any duties owed.

89. Paragraph 135 is denied as stated.

90. Paragraph 136 is denied.

91. As to paragraph 137, these Defendants state that S.C. Code Ann. § 63-7-310 speaks for itself and crave reference thereto.

92. Paragraph 138 is denied.

93. Paragraph 139 contains a generalized and conclusory statement that is not directed at these Defendants. However, to the extent this paragraph attempts to allege or does

allege any cause of action, claim, act, error, or omission as to these Defendants, those allegations are denied. These Defendants further deny they have engaged in any wrongful conduct or are liable for any conduct of any other party.

94. The allegations of paragraph 140 constitute conclusions of law to which these Defendants are not required to respond. To the extent the allegations are deemed to be allegations of fact or a response is required for any other reason, these Defendants admit that certain duties existed between the parties but deny having breached any duties owed.

95. Paragraph 141 is denied.

*AS TO KNOWLEDGE OF CHURCH ORGANIZATION AND ITS LEADERS OR PRIOR
INSTANCES OF EXPLOITATION AND ABUSE/ASSAULT OF MINORS*

96. As to paragraph 142, it is admitted only that Rick Joyner, David Yarnes, and Douglas Lee made up part of the leadership of MorningStar. Any remaining allegations of paragraph 142 are denied.

97. As to paragraph 143, it is admitted only that Rick Joyner was CEO of MorningStar during the events described in the Complaint. Any remaining allegations of paragraph 143 are denied.

98. Paragraphs 144 and 145 are denied.

99. Paragraph 147 is denied.

100. As to paragraph 148, it is admitted only that Abide Church was affiliated with MorningStar. Any remaining allegations of paragraph 148 are denied as stated.

101. Paragraphs 149 and 150 are denied.

102. These Defendants lack sufficient information or knowledge upon which to form a belief as to the truth or falsity of the allegations of paragraph 151 and, therefore, deny the allegations and demand strict proof thereof.

103. Paragraphs 152, 153, and 154 are denied.

104. Paragraph 155 is denied as stated.

105. As to paragraph 156, to the extent alleged, it is denied that MorningStar was not proactive with efforts to prevent harm to children and other vulnerable persons. Any remaining allegations of paragraph 156 are denied as stated.

106. Paragraph 157 is denied.

107. Paragraph 158 contains a generalized and conclusory statement that is not directed at these Defendants. However, to the extent this paragraph attempts to allege or does allege any cause of action, claim, act, error, or omission as to these Defendants, those allegations are denied. These Defendants further deny they have engaged in any wrongful conduct or are liable for any conduct of any other party.

108. Paragraphs 159, 160, and 161 are denied.

109. As to paragraph 162, it is admitted only that MorningStar is or has been affiliated with CSCL and MorningStar University. Any remaining allegations of paragraph 162 are denied as stated.

110. Paragraphs 163, 164, 165, 166, and 167 are denied.

111. Paragraphs 168, 169, and 170 are denied as stated.

112. Paragraphs 171, 172, 173, and 174 are denied.

113. As to paragraph 175, it is admitted only that MorningStar is committed to the reasonable protection of its congregation and fostering a safe environment. Any remaining allegations of paragraph 175 are denied.

114. Paragraph 176 is denied.

115. As to paragraph 177, it is denied that Todd Bentley is or was affiliated with MorningStar. These Defendants lack sufficient information or knowledge upon which to form a belief as to the truth or falsity of the remaining allegations of paragraph 177 and, therefore, deny the allegations and demand strict proof thereof.

116. Paragraphs 178, 179, 180, 181, and 182 are denied.

117. Paragraph 183 is denied as stated.

118. Paragraphs 184 and 185 are denied.

119. Paragraphs 186 and 187 are denied as stated.

120. Paragraphs 188, 189, and 190 contain generalized and conclusory statements that are not directed at these Defendants. However, to the extent these paragraphs attempt to allege or do allege any cause of action, claim, act, error, or omission as to these Defendants, those allegations are denied. These Defendants further deny they have engaged in any wrongful conduct or are liable for any conduct of any other party.

121. Paragraphs 191, 192, and 193 are denied.

122. As to paragraph 194, it is denied that these Defendants ever instructed anyone not to contact law enforcement in connection with a sexual assault. The remaining allegations of paragraph 194 constitute conclusions of law to which these Defendants are not required to respond. To the extent the allegations are deemed to be allegations of fact or a response is required for any other reason, the allegations are denied as stated.

123. Paragraph 195 is denied.

124. Paragraph 196 contains a generalized and conclusory statement that is not directed at these Defendants. However, to the extent this paragraph attempts to allege or does allege any cause of action, claim, act, error, or omission as to these Defendants, those allegations

are denied. These Defendants further deny they have engaged in any wrongful conduct or are liable for any conduct of any other party.

125. As to paragraph 197, these Defendants state that they are aware that a vulnerable population will exist in any setting where there are adults and children gathered. Any remaining allegations of paragraph 197 are denied.

126. Paragraphs 198, 199, and 200 are denied as stated.

AS TO PRIOR TO ANY SEXUAL ASSAULT OR ABUSE BY ERICKSON LEE, HE HAD PROVIDED ALCOHOL AND PORNOGRAPHY TO THESE CHILDREN CAUSING HARM

127. As to paragraphs 201 and 202, these Defendants admit that the Plaintiffs have made certain allegations against them but deny that the allegations have merit.

128. These Defendants lack sufficient information or knowledge upon which to form a belief as to the truth or falsity of the allegations of paragraphs 203, 204, 205, and 206, and, therefore, deny the allegations and demand strict proof thereof.

129. The allegations of paragraph 207 constitute conclusions of law to which these Defendants are not required to respond. To the extent these allegations are deemed to be allegations of fact or a response is required for any other reason, the allegations are denied.

130. Paragraph 208 is denied.

131. These Defendants lack sufficient information or knowledge upon which to form a belief as to the truth or falsity of the allegations of paragraphs 209 and 210 and, therefore, deny the allegations and demand strict proof thereof.

132. Paragraph 211 is denied.

133. These Defendants lack sufficient information or knowledge upon which to form a belief as to the truth or falsity of the allegations of paragraph 212 and, therefore, deny the allegations and demand strict proof thereof.

AS TO FACTUAL ALLEGATIONS SUPPORTING THE CAUSES OF ACTION

134. As to paragraph 213, it is admitted only that Erickson Lee was a volunteer leader within the youth program. These Defendants lack sufficient information or knowledge upon which to form a belief as to the truth or falsity of the remaining allegations of paragraph 213 and, therefore, deny the allegations and demand strict proof thereof.

135. Paragraphs 214 and 215 are denied.

136. As to paragraph 216, these Defendants admit that the Plaintiffs have made certain allegations against them but deny that the allegations have merit.

137. As to paragraph 217, these Defendants crave reference to the original email for a complete and accurate description of its contents and deny any allegations inconsistent therewith.

138. These Defendants lack sufficient information or knowledge upon which to form a belief as to the truth or falsity of the allegations of paragraphs 218 and 219 regarding Erickson Lee's and Zach Rowe's private communications with parents and, therefore, deny those allegations and demand strict proof thereof. Any remaining allegations of paragraphs 218 and 219 are denied as stated.

139. The allegations of paragraph 220 constitute conclusions of law to which these Defendants are not required to respond. To the extent the allegations are deemed to be allegations of fact or a response is required for any other reason, these Defendants admit that certain duties existed between the parties but deny having breached any duties owed.

140. As to paragraph 221, it is admitted that parents paid money for certain activities. Any remaining allegations of paragraph 221 are denied as stated.

141. Paragraph 222 is denied.

142. These Defendants lack sufficient information or knowledge upon which to form a belief as to the truth or falsity of the allegations of paragraphs 223, 224, 225, 226, and 227 and, therefore, deny the allegations and demand strict proof thereof.

143. As to paragraph 228, it is admitted only that there was a trip to Camp Lejeune. Any remaining allegations of paragraph 228 are denied as stated.

144. These Defendants lack sufficient information or knowledge upon which to form a belief as to the truth or falsity of the allegations of paragraphs 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, and 242 and, therefore, deny the allegations and demand strict proof thereof.

145. Paragraph 243 is admitted.

146. These Defendants lack sufficient information or knowledge upon which to form a belief as to the truth or falsity of the allegations of paragraphs 244, 245, 246, 247, and 248 and, therefore, deny the allegations and demand strict proof thereof.

147. As to paragraphs 249 and 250, it is admitted only that there were YSF meetings. Any remaining allegations of paragraphs 249 and 250 are denied as stated.

148. These Defendants lack sufficient information or knowledge upon which to form a belief as to the truth or falsity of the allegations of paragraph 251 and, therefore, deny the allegations and demand strict proof thereof.

149. As to paragraphs 252 and 253, it is admitted only that Defendant Yarnes was notified of text messages by a parent between his child and Erickson Lee and that Defendant Yarnes subsequently got other members of MorningStar involved. Any remaining allegations of paragraphs 252 and 253 are denied.

150. As to paragraph 254, it is admitted only that Erickson Lee was let go. Any remaining allegations of paragraph 254 are denied as stated.

151. Paragraph 255 is denied as stated.

152. As to paragraph 256, it is admitted, upon information and belief, only that Erickson Lee was living in an apartment with the permission of a parent. Any remaining allegations of paragraph 256 are denied as stated.

153. Paragraphs 257 and 258 are denied.

154. These Defendants lack sufficient information or knowledge upon which to form a belief as to the truth or falsity of the allegations of paragraph 259 regarding what Erickson Lee told parents and, therefore, deny those allegations and demand strict proof thereof. Any remaining allegations of paragraph 259 are denied as stated.

155. Paragraphs 260, 261, 262, and 263 are denied.

156. These Defendants lack sufficient information or knowledge upon which to form a belief as to the truth or falsity of the allegations of paragraphs 264, 265, 266, and 267 and, therefore, deny the allegations and demand strict proof thereof.

157. Paragraphs 268 and 269 are denied.

158. As to paragraphs 270 and 271, it is admitted only that Nate DeGrandpre contacted the referenced parents and scheduled a meeting with parents of certain minors. Any remaining allegations of paragraphs 270 and 271 are denied as stated.

159. As to paragraph 272, it is admitted only that law enforcement was contacted promptly. Any remaining allegations of paragraph 272 are denied.

160. As to paragraph 273, it is admitted only that Nate DeGrandpre had discussions with certain boys before law enforcement was contacted. Any remaining allegations of paragraph 273 are denied as stated.

161. These Defendants lack sufficient information or knowledge upon which to form a belief as to the truth or falsity of the allegations of paragraphs 274, 275, 276, and 277 and, therefore, deny the allegations and demand strict proof thereof.

162. Paragraph 278 is denied.

163. Paragraph 279 is admitted.

164. As to paragraph 280, these Defendants crave reference to the public record for details regarding criminal charges and/or convictions against Erickson Lee and deny any allegations inconsistent therewith.

165. As to paragraph 281, these Defendants admit that the Plaintiffs have made certain allegations and asserted certain causes of action against them but deny that the allegations or causes of action have merit.

166. Paragraph 282 is denied.

*AS TO THE FIRST CAUSE OF ACTION
(Negligence, Gross Negligence, and Recklessness)*

167. As to paragraph 283, these Defendants hereby reallege and incorporate herein each and every response contained above as though set forth herein verbatim.

168. The allegations of paragraph 284 constitute conclusions of law to which these Defendants are not required to respond. To the extent the allegations are deemed to be allegations of fact or a response is required for any other reason, these Defendants admit that certain duties existed between the parties but deny having breached any duties owed.

169. These Defendants lack sufficient information or knowledge upon which to form a belief as to the truth or falsity of the allegations of paragraph 285 and, therefore, deny the allegations and demand strict proof thereof.

170. The allegations of paragraph 286 constitute conclusions of law to which these Defendants are not required to respond. To the extent the allegations are deemed to be allegations of fact or a response is required for any other reason, these Defendants admit that certain duties existed between the parties but deny having breached any duties owed.

171. Paragraphs 287 and 288 are denied.

172. The allegations of paragraph 289 constitute conclusions of law to which these Defendants are not required to respond. To the extent the allegations are deemed to be allegations of fact or a response is required for any other reason, these Defendants admit that certain duties existed between the parties but deny having breached any duties owed.

173. These Defendants lack sufficient information or knowledge upon which to form a belief as to the truth or falsity of the allegations of paragraph 290 and, therefore, deny the allegations and demand strict proof thereof.

174. The allegations of paragraph 291 constitute conclusions of law to which these Defendants are not required to respond. To the extent the allegations are deemed to be allegations of fact or a response is required for any other reason, these Defendants admit that certain duties existed between the parties but deny having breached any duties owed.

175. These Defendants lack sufficient information or knowledge upon which to form a belief as to the truth or falsity of the allegations of paragraph 292 and, therefore, deny the allegations and demand strict proof thereof.

176. The allegations of paragraphs 293, 294, and 295 constitute conclusions of law to which these Defendants are not required to respond. To the extent the allegations are deemed to be allegations of fact or a response is required for any other reason, these Defendants admit that certain duties existed between the parties but deny having breached any duties owed.

177. Paragraph 296 is denied as stated.

178. Paragraphs 297, 298, 299, 300 (including all sub-paragraphs), and 301 are denied.

*AS TO THE SECOND CAUSE OF ACTION
(Civil Conspiracy)*

179. As to paragraph 302, these Defendants hereby reallege and incorporate herein each and every response contained above as though set forth herein verbatim.

180. Paragraph 303 is denied. These Defendants would show there were policies and procedures in place to reasonably protect minor children.

181. As to paragraph 304, to the extent alleged, it is denied that these Defendants were aware of such alleged conduct by Erickson Lee.

182. Paragraphs 305 and 306 are denied.

183. Paragraph 307 is denied as to these Defendants.

184. Paragraphs 308, 309, 310, 311, 312, and 313 are denied.

*AS TO THE THIRD CAUSE OF ACTION
(Assault and Battery)*

185. As to paragraph 314, these Defendants hereby reallege and incorporate herein each and every response contained above as though set forth herein verbatim.

186. The allegations of paragraphs 315, 316, 317, 318, and 319 are not directed at these Defendants and, therefore, no response is required from these Defendants. However, to the extent these paragraphs attempt to allege or do allege any cause of action, claim, act, error, or

omission as to these Defendants, those allegations are denied. These Defendants further deny they have engaged in any wrongful conduct or are liable for any conduct of any other party.

*AS TO THE FOURTH CAUSE OF ACTION
(Outrage/Intentional or Reckless Infliction of Emotional Distress)*

187. As to paragraph 320, these Defendants hereby reallege and incorporate herein each and every response contained above as though set forth herein verbatim.

188. Paragraph 321 is denied.

189. These Defendants lack sufficient information or knowledge upon which to form a belief as to the truth or falsity of the allegations of paragraph 322 and, therefore, deny the allegations and demand strict proof thereof.

190. Paragraphs 323, 324, 325, 326, 327, 328, 329, and 330 are denied.

*AS TO THE FIFTH CAUSE OF ACTION
(Necessaries Claim)*

191. As to paragraph 331, these Defendants hereby reallege and incorporate herein each and every response contained above as though set forth herein verbatim.

192. Paragraph 332 (including all sub-paragraphs) is denied.

193. Paragraph 333 is admitted upon information and belief.

194. These Defendants lack sufficient information or knowledge upon which to form a belief as to the truth or falsity of the allegations of paragraph 334 and, therefore, deny the allegations and demand strict proof thereof.

195. Paragraphs 335 and 336 are denied.

AS TO THE PRAYER FOR RELIEF

196. These Defendants deny that the Plaintiffs are entitled to any relief from these Defendants, including but not limited to the relief requested in the prayer of the Complaint.

FOR A SECOND DEFENSE

(Rule 12(b)(1), SCRCF—Lack of Subject Matter Jurisdiction)

197. These Defendants hereby reallege and incorporate herein each and every allegation contained above as though set forth herein verbatim.

198. These Defendants would further show, upon information and belief, that the court lacks subject matter jurisdiction in this matter and the action should, therefore, be dismissed.

FOR A THIRD DEFENSE

(Rule 12(b)(6), SCRCF—Failure to State Facts)

199. These Defendants hereby reallege and incorporate herein each and every allegation contained above as though set forth herein verbatim.

200. These Defendants would further show, upon information and belief, that the Complaint fails to state facts sufficient to constitute a cause of action and should, therefore, be dismissed in whole or in part.

FOR A FOURTH DEFENSE

(Charitable Immunity – Solicitation of Charitable Funds Act)

201. These Defendants hereby reallege and incorporate herein each and every allegation contained above as though set forth herein verbatim.

202. These Defendants would further show, upon information and belief, that they are entitled to the statutory protections and limitations of liability afforded charitable entities and similar organizations by South Carolina statutory and decisional law, including but not limited to the protections and immunities of the Solicitation of Charitable Funds Act, codified at Chapter 56 of Title 33 of the South Carolina Code of Laws, including but not limited to those set forth in S.C. Code Ann. § 33-56-180.

FOR A FIFTH DEFENSE
(Criminal Conduct)

203. These Defendants hereby reallege and incorporate herein each and every allegation contained above as though set forth herein verbatim.

204. These Defendants would further show, upon information and belief, that any injuries or damages to the Plaintiffs (which are specifically denied) were the result of intervening willful, malicious, and criminal conduct of a third party or parties beyond the control of these Defendants and that such intervening willful, malicious, and criminal conduct was not intended by these Defendants and could not reasonably be foreseen by these Defendants. Therefore, any causal connection between any alleged negligence of these Defendants and any injuries or damages to the Plaintiffs is broken by such willful, malicious, and criminal conduct and these Defendants are not liable to the Plaintiffs.

FOR A SIXTH DEFENSE
(Actions Outside the Course and Scope of Alleged Agency)

205. These Defendants hereby reallege and incorporate herein each and every allegation contained above as though set forth herein verbatim.

206. These Defendants would further show, upon information and belief, that the events alleged in the Complaint (which are denied as stated) were wholly and completely outside the course and scope of the alleged agent's agency, and the conduct was neither authorized nor ratified by these Defendants. Therefore, the Plaintiffs are not entitled to any recovery from these Defendants.

FOR A SEVENTH DEFENSE
(Alleged Damages Caused by Third Party)

207. These Defendants hereby reallege and incorporate herein each and every allegation contained above as though set forth herein verbatim.

208. These Defendants would further show, upon information or belief, that some or all damages allegedly sustained by the Plaintiffs (the existence of such damages being denied) were a direct or proximate result of the acts or omissions of another party or parties over whom these Defendants had no control or duty to control. These Defendants plead the acts of another party or parties as a complete defense to all claims.

FOR AN EIGHTH DEFENSE
(Intervening Causes)

209. These Defendants hereby reallege and incorporate herein each and every allegation contained above as though set forth herein verbatim.

210. These Defendants would further show, upon information and belief, that some or all damages allegedly sustained by the Plaintiffs (the existence of such damages being denied) were a proximate result of one or more independent, efficient, intervening causes which these Defendants plead as a bar to this action.

FOR A NINTH DEFENSE
(Negligence of Others)

211. These Defendants hereby reallege and incorporate herein each and every allegation contained above as though set forth herein verbatim.

212. These Defendants would further show, upon information and belief, that the Plaintiffs' claims against these Defendants are barred by the independent and intervening negligent acts of others.

FOR A TENTH DEFENSE
(Statute of Limitations)

213. These Defendants hereby reallege and incorporate herein each and every allegation contained above as though set forth herein verbatim.

214. These Defendants would further show, upon information and belief, that the Plaintiffs' claims may be barred by the applicable statute of limitations and/or repose.

FOR AN ELEVENTH DEFENSE
(Proximate Cause)

215. These Defendants hereby reallege and incorporate herein each and every allegation contained above as though set forth herein verbatim.

216. These Defendants would further show, upon information and belief, that no acts or omissions on its part were the proximate cause or cause in fact of some or all damages allegedly suffered by the Plaintiffs (the existence of such damages being denied). Therefore, this action is barred in whole or in part.

FOR A TWELFTH DEFENSE
(Compliance with Standard of Care)

217. These Defendants hereby reallege and incorporate herein each and every allegation contained above as though set forth herein verbatim.

218. These Defendants would further show, upon information and belief, that at all times relevant to the allegations of the Complaint, the conduct of these Defendants conformed to, and was in full compliance with, the standard of care expected of similar individuals and institutions in South Carolina. All of the conduct of these Defendants was within the acceptable standards and methods and at no time did these Defendants deviate from the standard of care with respect to the Plaintiffs.

FOR A THIRTEENTH DEFENSE
(Good Faith)

219. These Defendants hereby reallege and incorporate herein each and every allegation contained above as though set forth herein verbatim.

220. These Defendants would further show, upon information and belief, that the Plaintiffs' claims are barred because, at all times relevant to the allegations of the Complaint, these Defendants acted in good faith and in a reasonable manner.

FOR A FOURTEENTH DEFENSE

(Equitable Defenses)

221. These Defendants hereby reallege and incorporate herein each and every allegation contained above as though set forth herein verbatim.

222. These Defendants would further show, upon information and belief, that the claims asserted in the Complaint may be barred, in whole or in part, by the doctrines of waiver, estoppel, and/or unclean hands.

FOR A FIFTEENTH DEFENSE

(Failure to Mitigate)

223. These Defendants hereby reallege and incorporate herein each and every allegation contained above as though set forth herein verbatim.

224. These Defendants would further show, upon information and belief, that the Plaintiffs may have failed to mitigate their alleged damages.

FOR A SIXTEENTH DEFENSE

(Lack of Employment Relationship)

225. These Defendants hereby reallege and incorporate herein each and every allegation contained above as though set forth herein verbatim.

226. These Defendants would further show, upon information and belief, that to the extent the Complaint asserts claims for negligent hiring, retention, or supervision against Richard Joyner, David Yarnes, and/or Douglas Lee, such claims fail as a matter of law because the Complaint does not allege, and the Plaintiffs are unable to show, that the subject individual was an employee of Richard Joyner, David Yarnes, and/or Douglas Lee.

FOR A SEVENTEENTH DEFENSE

(Failure of *Respondeat Superior* Claim)

227. These Defendants hereby reallege and incorporate herein each and every allegation contained above as though set forth herein verbatim.

228. These Defendants would further show, upon information and belief, that to the extent the Complaint asserts *respondeat superior* liability against them based on alleged sexual abuse or misconduct, such claim fails as a matter of law because sexual abuse or misconduct is never within the scope of employment or agency.

FOR AN EIGHTEENTH DEFENSE

(Failure to Allege These Defendants Committed an Unlawful Act
Or Committed a Lawful Act by Unlawful Means)

229. These Defendants hereby reallege and incorporate herein each and every allegation contained above as though set forth herein verbatim.

230. These Defendants would further show, upon information and belief, that the Complaint's cause of action for civil conspiracy fails as a matter of law because it does not allege, and the Plaintiffs are unable to show, that these Defendants committed an unlawful act or committed a lawful act by unlawful means. Accordingly, the cause of action should be dismissed.

FOR A NINETEENTH DEFENSE

(Intracorporate Conspiracy Doctrine)

231. These Defendants hereby reallege and incorporate herein each and every allegation contained above as though set forth herein verbatim.

232. These Defendants would further show, upon information and belief, that the Complaint's cause of action for civil conspiracy fails in whole or in part because there can be no conspiracy between a corporate entity and its agents.

FOR A TWENTIETH DEFENSE
(Restatement of Other Causes of Action)

233. These Defendants hereby reallege and incorporate herein each and every allegation contained above as though set forth herein verbatim.

234. These Defendants would further show, upon information and belief, that the Complaint's cause of action for outrage fails as a matter of law because it is simply a restatement of the Complaint's other causes of action against these Defendants. Accordingly, the cause of action should be dismissed.

FOR A TWENTY-FIRST DEFENSE
(Absence of Outrageous Conduct Directed at Plaintiffs)

235. These Defendants hereby reallege and incorporate herein each and every allegation contained above as though set forth herein verbatim.

236. These Defendants would further show, upon information and belief, that the Complaint's cause of action for outrage fails as a matter of law because it does not allege, and the Plaintiffs are unable to show, that any outrageous conduct by these Defendants (the occurrence of which is denied) was directed specifically at the Plaintiffs. Accordingly, the cause of action should be dismissed.

FOR A TWENTY-SECOND DEFENSE
(Necessaries Claim Limited to Medical Expenses)

237. These Defendants hereby reallege and incorporate herein each and every allegation contained above as though set forth herein verbatim.

238. These Defendants would further show, upon information and belief, that recovery under a necessities claim is limited to medical expenses, and thus any request for recovery under this claim other than for medical expenses should be stricken or dismissed.

FOR A TWENTY-THIRD DEFENSE
(Ecclesiastical Doctrine)

239. These Defendants hereby reallege and incorporate herein each and every allegation contained above as though set forth herein verbatim.

240. These Defendants would further show, upon information and belief, that civil courts may not engage in resolving disputes as to religious law, principle, doctrine, discipline, custom, administration, or governance and, therefore, the Complaint may be subject to dismissal as against these Defendants in whole or in part.

FOR A TWENTY-FOURTH DEFENSE
(United States Constitution / South Carolina Constitution)

241. These Defendants hereby reallege and incorporate herein each and every allegation contained above as though set forth herein verbatim.

242. These Defendants would further show, upon information and belief, that religious organizations are permitted by the United States Constitution and the South Carolina Constitution to establish their own rules and regulations for internal discipline and government and to create tribunals for the adjudication of disputes and, therefore, the Complaint may be subject to dismissal as against these Defendants in whole or in part.

FOR A TWENTY-FIFTH DEFENSE
(Charitable Cap)

243. These Defendants hereby reallege and incorporate herein each and every allegation contained above as though set forth herein verbatim.

244. These Defendants would further show, upon information and belief, that any damages sought against them (which are denied) may be statutorily capped.

FOR A TWENTY-SIXTH DEFENSE*(In Pari Delicto)*

245. These Defendants hereby reallege and incorporate herein each and every allegation contained above as though set forth herein verbatim.

246. These Defendants would further show, upon information and belief, that if they are found to be at fault (the fault of these Defendants being denied), the Plaintiffs' claims may be barred by the doctrine of *in pari delicto*.

FOR A TWENTY-SEVENTH DEFENSE*(Election of Remedies)*

247. These Defendants hereby reallege and incorporate herein each and every allegation contained above as though set forth herein verbatim.

248. These Defendants would further show, upon information and belief, that the Plaintiffs will be subject to an election of remedies should they prevail on more than one of their causes of action against these Defendants.

FOR A TWENTY-EIGHTH DEFENSE*(S.C. Code Ann. §§ 15-38-50 et seq.)*

249. These Defendants hereby reallege and incorporate herein each and every allegation contained above as though set forth herein verbatim.

250. These Defendants would further show, upon information and belief, that to the extent they are found liable for the Plaintiffs' damages, which are denied, they are entitled to a determination of their percentage of fault pursuant to the Uniform Contribution Among Tortfeasors Act found at S.C. Code Ann. §§ 15-38-50 et seq.

FOR A TWENTY-NINTH DEFENSE

(Non-Economic Damages)

251. These Defendants hereby reallege and incorporate herein each and every allegation contained above as though set forth herein verbatim.

252. These Defendants would further show, upon information and belief, that they are entitled to any and all protections provided by S.C. Code Ann. §§ 15-32-200 et seq., including limitations in the amount of non-economic damages recoverable if any, and any other limitations provided for by said chapter and title, or as interpreted under common law.

FOR A THIRTIETH DEFENSE(Punitive Damages – Cooper v. Leatherman)

253. These Defendants hereby reallege and incorporate herein each and every allegation contained above as though set forth herein verbatim.

254. These Defendants would further show, upon information and belief, that pursuant to Cooper Industries, Inc. v. Leatherman Tool Group, Inc., 532 U.S. 424 (2001), if punitive damages are recoverable, which is denied, the amount of punitive damages is “not really a fact tried by the jury” and therefore the Plaintiffs’ request for punitive damages “to be determined by the jury” violates the United States Constitution.

FOR A THIRTY-FIRST DEFENSE

(Punitive Damages – Limitations)

255. These Defendants hereby reallege and incorporate herein each and every allegation contained above as though set forth herein verbatim.

256. These Defendants would further show, upon information and belief, that in the event the court permits the jury to return a punitive damages award, such damages are to be limited to an amount that is no greater than the jury’s award of actual damages pursuant to Exxon Shipping Co. v. Baker, 554 U.S. 471 (2008).

FOR A THIRTY-SECOND DEFENSE
(Punitive Damages Unavailable)

257. These Defendants hereby reallege and incorporate herein each and every allegation contained above as though set forth herein verbatim.

258. These Defendants would further show, upon information and belief, that punitive damages are unavailable in this action.

FOR A THIRTY-THIRD DEFENSE
(Punitive Damages)

259. These Defendants hereby reallege and incorporate herein each and every allegation contained above as though set forth herein verbatim.

260. These Defendants would further show, upon information and belief, that the Plaintiffs' claim for punitive damages is barred because punitive damages are a form of punishment and any such award under the laws of the State of South Carolina would violate these Defendants' procedural and substantive Due Process rights and Equal Protection rights, which are guaranteed by the Fifth and Fourteenth Amendments to the United States Constitution and by Article I, Section 3, of the Constitution of the State of South Carolina, in that:

- (a) The judiciary will be allowed to consider evidence of these Defendants' wealth in assessing punitive damages;
- (b) There are no standards of sufficient clarity, objectivity, and uniformity whereby the judiciary may determine the propriety of punitive damages or the amount of any such award;
- (c) The guidelines, standards procedures, and instructions for the imposition of punitive damages are ambiguous, indefinite, unreasonable, vague, uncertain, conflicting, purely subjective, and fundamentally unfair;
- (d) The vague and inconsistent legal standards for the imposition of punitive damages deprives these Defendants of sufficient notice of the type of conduct and mental state upon which an award of punitive damages could be based; and

- (e) No objective limitations or standards have been established concerning the amount or severity of any punitive damages award.

FOR A THIRTY-FOURTH DEFENSE
(Punitive Damages)

261. These Defendants hereby reallege and incorporate herein each and every allegation contained above as though set forth herein verbatim.

262. These Defendants would further show, upon information and belief, that the Plaintiffs' claim for punitive damages is barred because punitive damages are a form of punishment and any such award under the laws of the State of South Carolina would violate these Defendants' procedural and substantive Due Process rights and Equal Protection rights, which are guaranteed by the Fifth and Fourteenth Amendments to the United States Constitution and by Article I, Section 3, of the Constitution of the State of South Carolina, in that:

- (a) A jury is not provided with standards of sufficient clarity, objectivity, and uniformity for determining the appropriateness of awarding, or the appropriate size of any punitive damages;
- (b) A jury is not instructed on the limits of punitive damages awards imposed by the applicable principles of punishment and deterrence;
- (c) A jury is not expressly prohibited from awarding punitive damages, or determining the amount of an award of punitive damages, in whole or in part, on the basis of invidiously discriminatory characteristics;
- (d) A jury is permitted to award punitive damages under standards for determining liability for, and amount of, punitive damages that are vague and arbitrary and do not define with sufficient clarity the culpable conduct or mental state that makes an award of punitive damages permissible;
- (e) A jury is allowed to consider evidence of these Defendants' wealth in assessing punitive damages; and
- (f) A jury is not subject to judicial review on the basis of objective and uniform standards.

FOR A THIRTY-FIFTH DEFENSE
(Punitive Damages)

263. These Defendants hereby reallege and incorporate herein each and every allegation contained above as though set forth herein verbatim.

264. These Defendants would further show, upon information and belief, that the Plaintiffs' claim for punitive damages is barred because they are essentially criminal in nature and a form of punishment, and they seek to deny these Defendants rights guaranteed to defendants in criminal proceedings under the Fourth, Fifth, Sixth, and Fourteenth Amendments of the United States Constitution:

- (a) A requirement that the basis for the imposition of punitive damages be proven beyond a reasonable doubt by the Plaintiffs;
- (b) The right to separate trials for compensatory and punitive damages; and
- (c) The right to a separate hearing for the determination of the amount of punitive damages under applicable provisions of state law.

FOR A THIRTY-SIXTH DEFENSE
(Punitive Damages)

265. These Defendants hereby reallege and incorporate herein each and every allegation contained above as though set forth herein verbatim.

266. These Defendants would further show, upon information and belief, that the Plaintiffs' claim for punitive damages is barred because they seek to impose punishment that is excessive and grossly disproportionate to the misconduct alleged, in violation of Section 15, Article I of the Constitution of the State of South Carolina, which prohibits excessive fines and cruel and unusual punishment.

FOR A THIRTY-SEVENTH DEFENSE

(Punitive Damages)

267. These Defendants hereby reallege and incorporate herein each and every allegation contained above as though set forth herein verbatim.

268. These Defendants would further show, upon information and belief, that the Plaintiffs' claim for punitive damages is barred to the extent they seek the admission of evidence of these Defendants' net worth or wealth in determining whether punitive damages are to be awarded or in what amount, because punitive damages are a form of punishment, and punishment that is grounded in a defendant's status, rather than in specific misconduct, has the effect of treating classes of citizens unequally in violation of the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States and Section 15, Article I of the Constitution of the State of South Carolina.

FOR A THIRTY-EIGHTH DEFENSE

(Limitation on Punitive Damages)

269. These Defendants hereby reallege and incorporate herein each and every allegation contained above as though set forth herein verbatim.

270. These Defendants would further show, upon information and belief, that any award of punitive damages is subject to the limitations set forth in S.C. Code Ann. § 15-32-530.

FOR A THIRTY-NINTH DEFENSE

(Bifurcation / Clear and Convincing Evidence)

271. These Defendants hereby reallege and incorporate herein each and every allegation contained above as though set forth herein verbatim.

272. These Defendants would further show, upon information and belief, that the Plaintiffs' request for punitive damages is subject to the provisions of S.C. Code Ann. § 15-32-

520, including but not limited to the requirement for a bifurcated trial and the clear and convincing evidence standard of proof.

FOR A FORTIETH DEFENSE

(Apportionment)

273. These Defendants hereby reallege and incorporate herein each and every allegation contained above as though set forth herein verbatim.

274. These Defendants reserve and assert all rights under S.C. Code Ann. § 15-38-15 to the extent it bars, limits, or apportions any fault or recovery herein.

FOR A FORTY-FIRST DEFENSE

(Contribution and Indemnity)

275. These Defendants hereby reallege and incorporate herein each and every allegation contained above as though set forth herein verbatim.

276. These Defendants would further show, upon information and belief, that if they are liable to the Plaintiffs (which is denied), then other potentially responsible parties would be liable to them in contribution or indemnity. These Defendants plead the doctrines of contribution and indemnity as a defense in this action.

FOR A FORTY-SECOND DEFENSE

(Credits and Offsets)

277. These Defendants hereby reallege and incorporate herein each and every allegation contained above as though set forth herein verbatim.

278. These Defendants would further show, upon information and belief, that they are entitled to any credits and offsets that may exist from any liability found to be owed to the Plaintiffs as allowed under state or federal law.

FOR A FORTY-THIRD DEFENSE
(Setoff/Recoupment)

279. These Defendants hereby reallege and incorporate herein each and every allegation contained above as though set forth herein verbatim.

280. These Defendants would further show, upon information and belief, that if they are liable to the Plaintiffs (which is denied), then they are entitled to a setoff or recoupment for all sums of money recovered from any other potentially liable party or monies obtained from any other collateral source obtained by or on behalf of the Plaintiffs by way of any settlement, judgment, or otherwise which the Plaintiffs have entered or recovered from any other potentially responsible party.

FOR A FORTY-FOURTH DEFENSE
(Rule 10(a), SCRCP)

281. These Defendants hereby reallege and incorporate herein each and every allegation contained above as though set forth herein verbatim.

282. These Defendants would further show, upon information and belief, that the Complaint does not comply with Rule 10(a), SCRCP, and thus the court lacks jurisdiction over the Plaintiffs. However, these Defendants acknowledge that, in light of their allegations (which are denied), the Plaintiffs have legitimate privacy interests, and thus these Defendants will not oppose the entry of an order authorizing the Plaintiffs to proceed anonymously.

FOR A FORTY-FIFTH DEFENSE
(Rule 12(b)(7)—Failure to Join a Party)

283. These Defendants hereby reallege and incorporate herein each and every allegation contained above as though set forth herein verbatim.

284. These Defendants would further show, upon information and belief, that the Complaint fails to join one or more parties under Rule 19 and should, therefore, be dismissed in whole or in part.

FOR A FORTY-SIXTH DEFENSE
(Incorporation of Defenses by Reference)

285. These Defendants hereby reallege and incorporate herein each and every allegation contained above as though set forth herein verbatim.

286. These Defendants incorporate by reference any and all additional relevant and/or applicable defenses asserted in any Answers to the Complaint which have been filed or may be filed by other Defendants in this action.

FOR A FORTY-SEVENTH DEFENSE
(Rule 8(c), SCRCP)

287. These Defendants hereby reallege and incorporate herein each and every allegation contained above as though set forth herein verbatim.

288. To the extent applicable and not already asserted hereinabove, these Defendants plead all affirmative defenses listed in Rule 8(c) of the South Carolina Rules of Civil Procedure.

AS TO FURTHER DEFENSES OR CLAIMS

289. These Defendants place the Plaintiffs on notice that they will subsequently move to amend this Answer should it appear through discovery or continued fact investigation that additional defenses and/or claims are available.

WHEREFORE, having fully answered the Complaint Defendants Morningstar Fellowship Church, Richard Joyner, David Yarnes, and Douglas Lee pray that the court inquire into the matters addressed herein and issue its order dismissing the Complaint as against these Defendants with prejudice or granting these Defendants judgment against the Plaintiffs on the Complaint and awarding, to the extent available under the law, costs, attorneys' fees, and

expenses in this matter, and for such other and further relief as the court may deem just, equitable, and proper under the circumstances.

s/Curtis W. Dowling

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April 9, 2025